

CATEGORICAL EXCLUSION CHECKLIST

Project: Riparian Brush Rabbit Genetics Study **Date:** August 16, 2007

Nature of Action: Provide \$115,764 to the Endangered Species Recovery Program to investigate the genetic diversity and phylogenetic relationships of riparian brush rabbits (*Sylvilagus bachmani riparius*), focusing on the genetic composition and relationships of the Caswell Memorial State Park (MSP) and South Delta populations.

Location: Field work for this project will be conducted at Pacheco Pass, Corral Hollow, Santa Cruz Peninsula, south Sierran foothills, and Coalinga Springs. Laboratory work will be conducted at California State University, Stanislaus and California State University, Fresno.

Exclusion Category: A.3. Research activities, such as nondestructive data collection and analysis, monitoring, modeling, laboratory testing, calibration, and testing of instruments or procedures and non-manipulative field studies.

Evaluation of Criteria for Categorical Exclusion

1. This action or group of actions will have a significant effect on the quality of the human environment. No ☒ Uncertain ___ Yes ___
2. This action or group of actions will have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources. No ☒ Uncertain ___ Yes ___
3. This action will have significant impacts on public health or safety. No ☒ Uncertain ___ Yes ___
4. This action will have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking

water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.

5. This action will have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. No ☒ Uncertain ___ Yes ___
6. This action will establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.. No ☒ Uncertain ___ Yes ___
7. This action is related to other actions with individually insignificant but cumulative significant environmental effects. No ☒ Uncertain ___ Yes ___
8. This action will have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by bureau or office No ☒ Uncertain ___ Yes ___
9. This action will have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species No ☒ Uncertain ___ Yes ___
On June 21, 2007, Reclamation initiated informal consultation with the Service on the activities for projects in the CVPCP and the HRP for Fiscal Year 2007. The Service concurred on August 21, 2007 that the projects, including this riparian brush rabbit study, are not likely to adversely affect listed species.
10. This action threatens to violate Federal, state, local, or tribal law or requirements imposed for protection of the environment. No ☒ Uncertain ___ Yes ___

11. This action will have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898). No ☒ Uncertain__ Yes __
12. This action will limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites. No ☒ Uncertain__ Yes __
13. This action will affect Indian Trust Assets (To be completed by Reclamation official responsible for ITAs) No ☒ Uncertain__ Yes __
14. This action will contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species. (Federal Noxious Weed Control Act and Executive Order 13112) No ☒ Uncertain__ Yes __

NEPA Action: Categorical Exclusion ☒ EA __ EIS __

Environmental commitments, explanation, and/or remarks:

The riparian brush rabbit (*Sylvilagus bachmani riparius*) is a listed Federal and State endangered

species. It occupies riparian communities dominated by thickets of willows, wild roses, and other successional shrubs and trees in the northern San Joaquin Valley. Today, the only known populations are confined to 1) Caswell Memorial State Park (MSP) on the Stanislaus River, 2) private lands along the San Joaquin River in the South Delta area, located north of Caswell MSP and 3) in the San Joaquin River National Wildlife Refuge (NWR), consisting of translocated animals originally from the South Delta area. Both natural populations are in San Joaquin County, but the re-established population is in Stanislaus County.

Populations of riparian brush rabbits are under significant, proximate threats of extinction. Principal causes of endangerment can be linked directly to construction of dams on the Stanislaus and San Joaquin rivers, and to channelization of the valley floor portions of these streams. The population in Caswell MSP faces threats from inbreeding and loss of genetic diversity, random demographic events associated with small populations, wildfire, flooding, disease, predation exacerbated by high numbers of feral cats, and possibly from competition with desert cottontails (*S. audubonii*). The San Joaquin River NWR and South Delta populations face threats from stochastic demographic and genetic events, flooding, disease, predation, competition, and habitat conversion on private and state lands.

One potential strategy to augment the declining number of endangered riparian brush rabbits at Caswell MSP, and reduce the negative genetic impact of small population size, is to translocate rabbits from areas in the South Delta into Caswell MSP. It is critical to understand the genetic relationship between these two populations before such translocations are attempted. This is best measured by comparing the genetic similarities and differences between these two populations to the genetic similarities and differences between subspecies of *Sylvilagus bachmani*.

The specific objectives of the study include:

1. quantify within-population genetic variation in South Delta (135 rabbits analyzed previously) and Caswell MSP (45 rabbits analyzed previously) populations of *S. b. riparius*;
2. quantify among-population genetic variation between South Delta and Caswell MSP;
3. quantify among-population and within-population genetic variation among other subspecies of brush rabbits, including *S. b. mariposae* (23 completed), *S. b. macrorhinus* (15 completed);
4. compare genetic variation of subspecies *S. b. mariposae* and *S. b. macrorhinus* with genetic variation of *S. b. riparius*, to determine the significance of differentiation between 2 populations of *S. b. riparius* with respect to translocations between these 2 populations.

This data will be used to determine whether the Caswell MSP and South Delta populations can be advantageously mixed through translocations, and to decide how to maintain and maximize genetic variability in source and founder populations.

Prepared by:

Douglas Kleinsmith Date: 8-22-07
Environmental Specialist

Regional Archeologist concurrence: see attachment

_____ Date: _____

ITA Designee concurrence: see attachment

_____ Date: _____

Concurrence:

[Signature] Date: 8-30-07
CVPCP/HCP Program Manger

Approved:

[Signature] Date: 9-4-07
Regional Environmental Officer

From: Adam Nickels
To: Kleinsmith, Douglas
Date: 8/31/2007 4:01:16 PM
Subject: CEC Riparian Brush Rabbit Genetics Study

Project No. 07-SCAO-305

Doug,

The proposed undertaking provide funding to the Endangered Species Recovery Program for the purpose of conducting genetic studies on riparian brush rabbits has no potential to affect historic properties pursuant to the Regulations at 36 CFR Part 800.3(a)(1).

The proposed action is administrative in nature and constitutes a transfer of funds resulting in no potential to affect historic properties.

Location: Pacheco Pass, Corral Hollow, Santa Cruz Peninsula, South Sierran Foothills, and Coalinga Springs; CA.

Exclusion: A.3

This concludes the Section 106 process for this undertaking. Please include a copy of this concurrence with the cec file. Thank you for providing the opportunity to comment.

sincerely,

Adam Nickels

Adam M. Nickels
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From: Patricia Rivera
To: Kleinsmith, Douglas
Date: 8/31/2007 11:42:59 AM
Subject: Re: CVPCP 2007 CECs ITA Requests

Doug,

I have reviewed the six Categorical Exclusion Checklists for the CVPCP projects per your request . All are studies, plans, or community outreach with no construction, land purchase or surface disturbance.

The Pine Hills Preserve fuels reduction plan: The proposed action does not affect Indian Trust Assets. The nearest ITA to the proposed site is approximately 3 miles ESE and it is the Shingle Springs Rancheria.

The Tipton kangaroo rat relocation study: The proposed action does not affect Indian Trust Assets. The nearest ITA to the proposed site is approximately 28 miles ENE and it is the Tule River Reservation.

The California tiger salamander genetics study: The proposed action does not affect Indian Trust Assets. The nearest ITA to the proposed site is approximately 35 miles WNW and it is the Lytton Rancheria.

The Alameda County private ranches outreach: The proposed action does not affect Indian Trust Assets. The nearest ITA to the proposed site is approximately 38 miles WNW and it is the Lytton Rancheria.

The riparian brush rabbit genetics study: The proposed action does not affect Indian Trust Assets. The nearest ITA to the proposed site is approximately 26 miles SSW and it is a Public Domain Allotment.

The propagation and reproduction of the metcalf jewelflower study: The proposed action does not affect Indian Trust Assets. The nearest ITA to the proposed site is approximately 35 miles SE and it is the a Public Domain Allotment.

Patricia

>>> Douglas Kleinsmith 8/23/2007 2:50 PM >>>

Patricia,

Attached are ITA requests for the six Categorical Exclusion Checklists for the CVPCP projects. All are studies, plans, or community outreach with no construction, land purchase or surface disturbance.

Doug